IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,

AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 19567 OF 2005

Date: 16.09.2005

BETWEEN:

1. Mohd. Yaqubuddin and another

…. PETITIONERS

Vs.

1. Hyderabad Urban Development Authority, rep. by its Vice-Chairman, Begumpet, Hdyerabad and another

…. RESPONDENTS

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO. 19567 OF 2005

ORDER:

The petitioners claim to be the owners of land admeasuring to an extent of Acs.1.24 in S.Nos.40/AA/3 and 41/AA/3 of Bumruknuddowla Village, Rajendranagar Municipality, Ranga Reddy District. They purchased the said land from Lalith Kumar under a registered sale deed dated 29.4.2003. They also claim to be in possession of the property continuously. The petitioners allege that when they were constructing a small room on the land, the Assistant Estate Officer of the first respondent along with his subordinates visited the land and tried to interfere with the possession. It appears, the officials of the first respondent allege that Hyderabad Urban Development Authority (HUDA) is the owner of the land in S.No.42 and that the petitioners allegedly encroached upon the land. The petitioners denied the same in this writ petition. They seek appropriate direction to the respondents not to interfere with the possession of the land in question.

The learned Standing Counsel for HUDA was directed to get instructions in the matter. After getting instructions, the learned Standing Counsel submits that there is a boundary dispute between the petitioners and HUDA and therefore, the officials of the first respondent visited the land for inspection purpose. However, he does not dispute the legal position that even if there is a boundary dispute between HUDA and private persons, necessary action has to be taken in accordance with law and the officials of HUDA cannot resort to high-handed action.

Therefore, the Writ Petition, with the above observations, is accordingly disposed of at the admission stage.

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(**V.V.S. RAO, J.)**

16th September, 2005

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